

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: A.J. NEJEZCHLEB et al.

Continued Prosecution Application
Serial No.: 09/085,669

Examiner: J. Crepeau

Filed: May 27, 1998

Group Art Unit: 1745

U.S. Patent No. 6,309,610

Issued: October 30, 2001

Title: NON-THERMAL PLASMA APPARATUS
UTILIZING DIELECTRICALLY-COATED
ELECTRODES FOR TREATING EFFLUENT GAS

AFFADAVIT OF KENT FORRESTER

I, Kent Forrester, docket clerk for the Washington, D.C. office of Kilpatrick Stockton LLP, declare that the following information is true and correct to the best of my knowledge and I am over twenty-one (21) years of age and competent to give the statements herein.

1. I have served as the docket clerk for the Washington, D.C. office of Kilpatrick Stockton LLP since June, 1997.
2. I open and docket all the mail received from the U.S. Patent & Trademark Office to the Washington, D.C. office of Kilpatrick Stockton LLP.
3. In connection with the recent discovery of anthrax spores in mail routed through the U.S. Postal Service's Brentwood Sorting Station in Washington, D.C. mail from the U.S. Patent and Trademark Office to the Washington, D.C. office of

Kilpatrick Stockton LLP (which is routed through the Brentwood Sorting Station) has been delayed.

4. On October 25, 2001, in a notice published at the U.S. Patent & Trademark website, the U.S. Patent & Trademark Office acknowledged that “non-trademark communications mailed from the United States Patent and Trademark Office (USPTO) . . . were routed through the U.S. Postal Service's Brentwood Sorting Station in Washington, D.C., where workers are diagnosed as having contracted anthrax” and that “[t]he Brentwood Station is now closed, and USPTO mailings, both incoming and outgoing, are currently being routed through another station.”

5. Papers received from the U.S. Patent & Trademark Office regarding an application are placed in the docketing calendar of the Washington, D.C. office of Kilpatrick Stockton LLP for that application and serve as docketing events used to consider taking various actions with regard to that application.

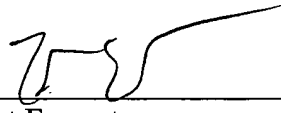
6. More specifically, an Issue Notification in an application is placed in the docketing calendar of the Washington, D.C. office of Kilpatrick Stockton LLP for that application and is a docketing event that is used to consider taking various actions, for example, the filing of a continuation application.

7. Regarding U.S. Patent Application Serial No. 09/085,669, as of today, November 15, 2001 I have not received an Issue Notification providing notice of the approaching issuance of U.S. Patent No. 6,309,610.

8. I have come to learn that U.S. Patent No. 6,309,610 issued on October 30, 2001, although Kilpatrick Stockton LLP never received notice of the approaching issuance.

9. I declare under penalty of perjury under the laws of the United States that
the foregoing information is true and correct.

11/15/01
Date


Kent Forrester